Mr. A. Kaleswara Rao :—" When as many as 4,000 acres out of the land included in the ayacut are left waste will the Government make an investigation as to why so many acres could not be cultivated wet ? "

The hon. Sir Norman Marjoribanks :—" Because they are on a higher level. If the level is reduced, they will be included in the ayacut."

Mr. A. Kaleswara Rao :—" May I ask whether the Government Order exempting the poor ryots from the payment of the inclusion fees has been put into operation at all ? "

The hon. Sir Norman Marjoribanks :—" This is a separate question and I must ask for notice."

Levy of penal interest on arrears of takkavi loans in Anantapur district.

* 1156 Q.—Mr. C. Obi Reddi : Will the hon. the Member for Revenue be pleased to state—

(a) whether the report said to have been called for in the answer to question No. 452, answered on 9th October 1928, regarding levy of penal interest on arrears of takkavi instalments in Anantapur district, has been received ; and

(b) if so, whether the Government will be pleased to lay it on the table of the House ?

A.—(a) & (b) The hon. Member is referred to G.O. No. 2709, Revenue, dated 16th November 1928, which has been laid on the table.

Mr. G. Harisarvottama Rao :—" May I know from the hon. the Revenue Member why, according to the Government Order, the Government consider it unnecessary to get the compilation made in view of the fact that hardships have been pleaded for a long time and changes sought to be made ? "

The hon. Sir Norman Marjoribanks :—" Getting information for the past would not cure hardships at present existing. We have also revised the rules imposing penalties to meet the object of the hon. Member."

Mr. G. Harisarvottama Rao :—" Has the order issued ? "

The hon. Sir Norman Marjoribanks :—" I hope so ; I want notice."

Introduction of the Land Revenue Bill.

* 1157 Q.—Mr. C. Ramasomayajulu : Will the hon. the Member for Revenue be pleased to state with reference to the answer given to question No. 545 answered on 12th October 1928 regarding the introduction of the Land Revenue Bill—

(a) whether this Government have sent their reply to the Government of India about the matter ;

(b) whether this Government received any further communication from the Government of India ; and

(c) whether the Government intend introducing the Land Revenue Bill during the lifetime of this Council ?

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A.—(*a*) Yes.

(*b*) Yes.

(*c*) There is at present no such proposal. The position has not altered from that explained in the answer to the supplementary question asked by Mr. D. Narayana Raju on the subject in connexion with the reply to question No. 545 on 12th October 1928.

Mr. C. Ramasomayajulu :—" May I ask if there is no chance of the Land Revenue Bill coming up during the lifetime of this Council ? If there is at present no such proposal, may I take it that the Bill will not come up before the term of this Council expires ? "

The hon. Sir Norman Marjoribanks :—" Obviously, I cannot prophesy, Sir."

Mr. S. Satyamurti :—" With reference to the answers to clauses (*a*) and (*b*) of this question, may I know what the nature of the reply of this Government to the Government of India was and what the nature of the communication from the Government of India to this Government was ? "

The hon. Sir Norman Marjoribanks :—" I am unable to give the information."

Mr. S. Satyamurti :—" Is it because it is claimed to be confidential ? "

The hon. Sir Norman Marjoribanks :—" I thought the hon. Member was aware that the Local Government could not give any information regarding correspondence with the Government of India."

Mr. P. Bhaktavatsulu Nayudu :—" Has it been marked confidential ? "

Mr. S. Satyamurti :—" I recognize that the Local Government has got the right of claiming it as confidential . . . ."

The hon. the President :—" I do not think the hon. Member is in order in making statements."

Mr. A. Kaleswara Rao :—" Is it because it is marked confidential or because it is inconvenient to the Local Government, the information is refused ? "

The hon. Sir Norman Marjoribanks :—" It is a standing rule that the Local Government cannot give information regarding communications with the Government of India."

Mr. C. Ramasomayajulu :—" May I ask whether the result that there is no such proposal at present is the consequence of the communications which have passed ? "

The hon. Sir Norman Marjoribanks :—" The hon. Member cannot draw such an inference from my answer."

Mr. A. Kaleswara Rao :—" May I know whether this Government is 11-15 a.m.
interested in introducing that Bill ? "

The hon. the President :—" The hon. Member will kindly resume his seat.

" Before the hon. Member for the Government refuses to give an answer, I should like to refer him to rule 9 of the Madras Legislative Council Rules which lays down that 'in matters which are or have been the subject of

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controversy between the Governor-General in Council or the Secretary of State and the local Government, no question shall be asked except as to matters of fact . . .' I wish to know whether this matter is the subject of any controversy between this Government and the Government of India."

The hon. Sir NORMAN MARJORIBANKS :—"It is not a subject of controversy."

The hon. the PRESIDENT :—"As long as it is not the subject of any controversy, the Government may be asked to give the information required."

Mr. S. SATYAMURTI :—"May I know, Sir . . ."

The hon. the PRESIDENT :—"The hon. Member will kindly resume his seat."

The hon. Sir NORMAN MARJORIBANKS :—"In that case my answer must be that I cannot give the information because it is confidential."

Mr. G. HARISARVOTTAMA RAO :—"May I know from the hon. the Revenue Member, whether, from the correspondence that has taken place, there is a chance of the matter being discussed further though there is no definite proposal at present before the Government?"

The hon. Sir NORMAN MARJORIBANKS :—"I am afraid I cannot say that without disclosing the nature of the correspondence."

Mr. P. BHAKTAVATSULU NAYUDU :—"I heard the hon. Member say that it is confidential. Is it in his opinion or in the opinion of the Government?"

The hon. Sir NORMAN MARJORIBANKS :—"I can only answer on behalf of the Government, Sir."

Mr. S. SATYAMURTI :—"May I know the reason why the Government treat this matter of the Revenue Settlement Bill as confidential."

The hon. Sir NORMAN MARJORIBANKS :—"I cannot say, Sir. If the Government of India write to us confidentially, we reply confidentially."

Mr. A. KALESWARA RAO :—"May I know whether this Government has been trying to throw its responsibility in this matter on the Legislative Council, or is it anxious to keep the right in its own hands? What is the attitude of this Government?"

The hon. Sir NORMAN MARJORIBANKS :—"I am sorry I cannot make a statement on that point without disclosing the information in the correspondence."

Mr. S. SATYAMURTI :—"May I know whether the Government of Madras have communicated the feeling of this House that the Revenue Settlement Bill vesting the right of assessment in this House should be introduced early?"

The hon. Sir NORMAN MARJORIBANKS :—"As far as my recollection goes, the report of the debate in this House was communicated to the Government of India."

Mr. S. SATYAMURTI :—"May I know if the Government of India have informed this Government about their attitude towards the desire of this House in this matter apart from the desire of the Madras Government as such?"

The hon. Sir NORMAN MARJORIBANKS :—"I cannot answer the question as to what the Government of India have done."

Mr. G. HARISARVOTTAMA RAO :—"May I know from the hon. the Revenue Member whether the confidential nature of the correspondence arose from the fact that the Government of India have imposed it, or this Government itself has imposed it?"

The hon. the PRESIDENT :—"It has been already answered."

Public Service

Application of Government Orders regarding unpassed men even to permanent officials.

*1158-A Q.—Mr. BASHEER AHMAD SAYEED : Will the hon. the Member for Revenue be pleased to state—

(a) whether the several Government Orders on unpassed men apply even to persons permanently exempted by the Government and appointed to substantial posts on the same footing as passed men before the issue of the said Government Orders;

(b) whether Government Orders were intended to be applied with retrospective effect and whether there were any special notifications or orders directing the heads of departments to give such retrospective effect to the said Government Orders;

(c) if so, whether the said notifications or orders will be placed on the table of the House;

(d) if no Government Orders or notifications have been issued to the effect mentioned in clause (b) on what authority and on what grounds the heads of departments have been applying the said Government Orders and notifications to cases of men who were granted general and permanent exemptions by Government and confirmed in their appointments on higher scales of pay, years prior to the issue of the Government Orders in question; and

(e) what are the reasons for giving retrospective effect to such Government Orders and applying them even to cases where the unpassed men were given permanent general exemptions, were appointed to substantial and higher posts, were confirmed in their appointments and were allowed to draw several increments long prior to the issue of the Government Orders in question?

A.—(a), (b), (c), (d) & (e) If the hon. Member will indicate more precisely the orders or the cases he has in mind the Government will be able to answer the questions. They are not aware of any orders of the Government or of heads of departments which would be correctly described in the language of the questions.

Statement showing the number of exempted unpassed clerks in South Kanara and some other districts.

*1158-B Q.—Mr. J. A. SALDANHA : Will the hon. the Member for Revenue be pleased—

(i) to place before the Council a statement showing the number and names of all exempted unpassed clerks still in service after having passed the